

those reported on the health care facility's registration. A health care facility shall keep the information contained in each registration current, shall notify the frequency coordinator of any material change to the MBAN's location or operating parameters, and is prohibited from operating the MBAN in the 2360–2390 MHz band under changed operating parameters until the frequency coordinator determines whether such changes require coordination with the AMT coordinator designated under §87.305 of this chapter and, if so, the coordination required under paragraph (c) of this section has been completed.

(c) *Coordination procedures.* The frequency coordinator will determine if an MBAN is within the line of sight of an AMT receive facility in the 2360–2390 MHz band and notify the health care facility when it may begin MBAN operations under the applicable procedures in (c)(1) or (2) of this section.

(1) If the MBAN is beyond the line of sight of an AMT receive facility, it may operate without prior coordination with the AMT coordinator, provided that the MBAN coordinator provides the AMT coordinator with the MBAN registration information and the AMT coordinator concurs that the MBAN is beyond the line of sight prior to the MBAN beginning operations in the band.

(2) If the MBAN is within line of sight of an AMT receive facility, the MBAN frequency coordinator shall achieve a mutually satisfactory coordination agreement with the AMT frequency coordinator prior to the MBAN beginning operations in the band. Such coordination agreement shall provide protection to AMT receive stations consistent with International Telecommunication Union (ITU) Recommendation ITU-R M.1459, "Protection criteria for telemetry systems in the aeronautical mobile service and mitigation techniques to facilitate sharing with geostationary broadcasting-satellite and mobile-satellite services in the frequency bands 1 452–1 525 and 2 310–2 360 MHz," May 2000, as adjusted using generally accepted engineering practices and standards that are mutually agreeable to both coordinators to take into account the local

conditions and operating characteristics of the applicable AMT and MBAN facilities, and shall specify when the device shall limit its transmissions to segments of the 2360–2390 MHz band or shall cease operation in the band. This ITU document is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 and approved by the Director of Federal Register. Copies of the recommendation may be obtained from ITU, Place des Nations, 1211 Geneva 20, Switzerland, or online at <http://www.itu.int/en/publications/Pages/default.aspx>. You may inspect a copy at the Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. "Generally accepted engineering practices and standards" include, but are not limited to, engineering analyses and measurement data as well as limiting MBAN operations in the band by time or frequency.

(3) If an AMT operator plans to operate a receive site not previously analyzed by the MBAN coordinator to determine line of sight to an MBAN facility, the AMT operator shall consider using locations that are beyond the line of sight of a registered health care facility. If the AMT operator determines that non-line of sight locations are not practical for its purposes, the AMT coordinator shall notify the MBAN coordinator upon no less than 7 days' notice that the registered health care facility must cease MBAN operations in the 2360–2390 MHz band unless the parties can achieve a mutually satisfactory coordination agreement under paragraph (c)(2) of this section.

[77 FR 55734, Sept. 11, 2012]

EFFECTIVE DATE NOTE: At 77 FR 55734, Sept. 11, 2012, §95.1223 was added, however, this amendment does not have an effective date.

§ 95.1225 Frequency coordinator.

(a) The Commission will designate a frequency coordinator(s) to manage the

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operation of medical body area networks in the 2360 MHz -2390 MHz band.

(b) The frequency coordinator shall perform the following functions:

(1) Register health care facilities that operate an MBAN in the 2360-2390 MHz band, maintain a database of these MBAN transmitter locations and operational parameters, and provide the Commission with information contained in the database upon request;

(2) Determine if an MBAN is within line of sight of an AMT receive facility in the 2360-2390 MHz band and coordinate MBAN operations with the designated AMT coordinator as specified in § 87.305 of this chapter;

(3) Notify a registered health care facility when an MBAN has to change frequency within the 2360-2390 MHz band or to cease operating in the band consistent with a coordination agreement between the MBAN and the AMT coordinators;

(4) Develop procedures to ensure that registered health care facilities operate an MBAN consistent with the coordination requirements under § 95.1223; and

(5) Identify the MBAN that is the source of interference in response to a complaint from the AMT coordinator and notify the health care facility of alternative frequencies available for MBAN use or to cease operation consistent with the rules.

[77 FR 55735, Sept. 11, 2012]

EFFECTIVE DATE NOTE: At 77 FR 55735, Sept. 11, 2012, § 95.1225 was added, however, this amendment does not have an effective date.

Subpart J—Multi-Use Radio Service (MURS)

SOURCE: 65 FR 60878, Oct. 13, 2000, unless otherwise noted.

GENERAL PROVISIONS

§ 95.1301 Eligibility.

An entity is authorized by rule to operate a MURS transmitter if it is not a foreign government or a representative of a foreign government and if it uses the transmitter in accordance with § 95.1309 and otherwise operates in accordance with the rules contained in this subpart. No license will be issued.

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§ 95.1303 Authorized locations.

(a) MURS operation is authorized:

(1) Anywhere CB station operation is permitted under § 95.405; and

(2) Aboard any vessel of the United States, with the permission of the captain, while the vessel is travelling either domestically or in international waters.

(b) MURS operation is not authorized aboard aircraft in flight.

(c) Anyone intending to operate a MURS unit on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: *prcz@naic.edu*.

(1) The notification to the Interference Office, Arecibo Observatory shall be made 45 days prior to commencing operation of the unit. The notification shall state the geographical coordinates of the unit.

(2) After receipt of such notifications, the Commission will allow the Arecibo Observatory a period of 20 days for comments or objections. The operator will be required to make reasonable efforts in order to resolve or mitigate any potential interference problem with the Arecibo Observatory. If the Commission determines that an operator has satisfied its responsibility to make reasonable efforts to protect the Observatory from interference, the unit may be allowed to operate.

[65 FR 60878, Oct. 13, 2000, as amended at 70 FR 31374, June 1, 2005]

§ 95.1305 Station identification.

A MURS station is not required to transmit a station identification announcement.

§ 95.1307 Permissible communications.

(a) MURS stations may transmit voice or data signals as permitted in this subpart.